

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.34079 of 2025**

Arising Out of PS. Case No.-311 Year-2025 Thana- Excise P.S. District- Gaya

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Raghu Kumar S/O Prayag Saw @ Prayag Sao R/O Village- Gafa Kala, Ward  
No. 10, P.S.- Bodhgaya, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Ajay Kumar Sinha,Adv.

For the Opposite Party/s : Mr.Bharat Lal, APP

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**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

2      02-06-2025                      Heard Learned Counsel for the petitioner and  
  
Learned A.P.P. for the State.

2. The present Criminal Miscellaneous application has been filed under Sections 483 and 484 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as “the BNSS”) for seeking regular bail in connection with Excise P.S. Case No.311 of 2025 lodged on 22.03.2025 under Sections 30(a) and 32(C) of the Bihar Prohibition and Excise Amendment Act, 2022.

3. As per the prosecution, the total recovery of 150 litres of *country-made* liquor have been alleged to be made from a motorcycle, which is the subject matter of the present case.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel also submits that petitioner was apprehended by the police and



confessed that the said motorcycle belongs to him, but in investigation, it has come that the said motorcycle was subject to theft. He further submits that nothing has been recovered from conscious possession of the petitioner.

5. Learned Counsel further submits that petitioner is in custody since 22.03.2025 having clean antecedent.

6. Learned counsel for the State opposes the prayer for bail and submits that the petitioner is involved in the business of selling of country-made liquor.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) as mentioned in Section 2(1) (d) of the BNSS, 2023 to the satisfaction of Exclusive Special Excise Court No.03, Gaya in connection with Excise P.S. Case No.311 of 2025, subject to the following conditions as laid down under Section 480(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

**(Dr. Anshuman, J.)**

Prakashmani/-

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